

## **TRABUCO CANYON WATER DISTRICT** **ENFORCEMENT RESPONSE PLAN**

### **1. Introduction**

The Trabuco Canyon Water District's (TCWD) Enforcement Response Plan (ERP) has been developed pursuant to the requirements set forth in 40 CFR 403.8(f)(5). This ERP is intended to support TCWD's primary responsibility to enforce all applicable pretreatment requirements. Included herein are procedures for investigating instances of noncompliance, and information on the types of escalating enforcement responses available to TCWD, including the time frames for implementation of these responses.

The purpose of the ERP is to provide guidance to TCWD staff in the application of enforcement measures relative to the Waste Discharge Pretreatment and Source Control Program. General enforcement guidance is provided in "An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the Trabuco Canyon Water District Service Area", but specific application of that general guidance to the range of possible enforcement actions is set forth in this ERP.

The goals in developing this ERP are to ensure that compliance monitoring and enforcement actions are executed in a consistent, fair and timely manner for all industrial users (IU).

### **2. Industrial User (IU) Sampling and Inspections**

While the main part of this ERP will deal with enforcement responses to IU violations after they have occurred, an important prerequisite is determining a violation. The TCWD has implemented either a sampling and/or inspection program for all users who are permitted to discharge industrial wastewaters to sewerage facilities. The number of sampling events scheduled for a particular IU is set forth in their wastewater discharge (WD) permit.

IU inspections are done to determine compliance with applicable regulations, to verify information submitted to the TCWD by the IU in reports and applications, and to review waste disposal manifests for materials generated by IUs that are prohibited from discharge to sewerage facilities. Inspections are also used as a mechanism to allow follow up on instances of IU noncompliance. Documentation of each inspection is made by the inspector and evaluated for potential violations. Sampling is done to determine compliance with specific discharge limitations for applicable pollutants. Sampling is also used as a mechanism to follow up instances of IU noncompliance. Documentation is made by the sampler, and the samples are delivered to a certified analytical laboratory for analysis using procedures contained in the Code of Federal Regulations. Sample results are delivered to the TCWD for compliance verification.

### **3. Compliance Screening**

The compliance screening process involves reviewing all available information to identify any noncompliance. The review process should assess, as appropriate, compliance with schedules, reporting requirements, and applicable pretreatment standards. This review, conducted by TCWD staff is primarily to identify apparent violations and not to determine the appropriate enforcement response.

The screening process should verify that all reports from IUs are submitted on schedule, cover the proper time period, include all information required, and are properly signed. If self monitoring reports (SMR) are submitted, they should be carefully reviewed for accuracy and completeness, and compared to the appropriate discharge limitations to verify compliance. Laboratory results from IU samples should be carefully reviewed and compared to applicable discharge limitations. All violations or potential violations should receive an appropriate enforcement response as described later in this ERP.

### **4. Significant Noncompliance**

Although all violations must be identified and responded to, the circumstances of the occurrence must be identified before an enforcement action is taken. Consider the "what, when, where, how, who, and why" of the situation, the IU's response to the noncompliance and notification of the control authority, and the number of times the noncompliance has occurred in the last twelve months. Remember that any noncompliance can place the IU in significant noncompliance (SNC). All IUs in SNC must be included in the public notification that must be published at least annually in a newspaper(s) of general circulation that provides meaningful public notice within the TCWD service area. For the purpose of this ERP, a significant industrial user (SIU) (or any IU which violates paragraphs C, D or H below) is in SNC

if its violation meets one or more of the following criteria:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as defined in 40 CFR 403.3(l);
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric pretreatment standards or requirement, including instantaneous limits, as defined in 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a pretreatment standard or requirement as defined in 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limits, or narrative standard) that the TCWD determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of TCWD personnel or the general public;
- D. Any discharge of pollutant that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the TCWD's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit, other control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, required reports, including, but not limited to, baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance;
- H. Any other violation or group of violations, which may include a violation of Best Management Practices, which TCWD determines will adversely affect the operation or implementation of the local pretreatment program.

## **5. Enforcement Response Summary**

TCWD's pretreatment ordinance provides specific limitations on discharges to sewerage facilities. Provisions of ordinance require IUs to obtain a WD permit by which the TCWD can impose industry specific conditions and prohibitions on IU discharges. Violations by an IU of the TCWD's ordinance, their WD permit conditions, or federal pretreatment regulations, including the requirements imposed on federal categorical industries and their relative numerical discharge limits, must all receive an appropriate enforcement response by the TCWD.

The general enforcement responses available to the TCWD are discussed in the pretreatment ordinance, which provides the legal authority necessary to implement any and all measures required to ensure IU compliance. The most common enforcement response mechanisms are:

- o Warning Notice of Noncompliance Letter (WNON)
- o Notice of Noncompliance Form (NON)
- o Notice of Violation Form (NOV)
- o Administrative Order (AO)
- o Administrative Complaint
- o Permit Suspension or Revocation
- o Termination of Service
- o Emergency Suspension
- o Injunction
- o Civil Action
- o Criminal Action

The enforcement mechanisms are implemented according to a progressive enforcement philosophy. To ensure consistency of enforcement application, and to meet the requirements promulgated by 40 CFR 403.8 (f)(5), the TCWD has developed an Enforcement Response Guide (ERG), included as Appendix A, as part of its ERP. This guide is a useful tool that presents proper enforcement responses for a variety of noncompliance scenarios.

## **6. Enforcement Response Mechanisms**

- A. **Warning Notice of Noncompliance Letter** – The Warning Notice of Noncompliance Letter (WNON) is a written communication from the TCWD to the noncompliant IU stating that a violation of the pretreatment program has occurred and that correction of the noncompliance is necessary. A WNON may include specific corrective actions required of the IU, as well as a statement that additional enforcement actions may be pursued if corrective actions are not accomplished. A copy of the WNON may be maintained in the IUs permanent file.
- B. **Notice of Noncompliance Form** – The Notice of Noncompliance Form (NON) is a formal, written communication from the TCWD to the noncompliant IU stating that a violation of the pretreatment program has occurred and that a response to the noncompliance is required. A NON may include specific corrective actions required of the IU, as well as a statement that additional enforcement actions may be pursued if corrective actions are not accomplished. NONs may be sent via certified mail with return receipt requested and serve as proof that the IU received the NON in the event that additional enforcement actions become necessary. A copy of the NON may be maintained in the IUs permanent file.
- C. **Notice of Violation Form** – The Notice of Violation Form (NOV) is an official, written communication from the TCWD to the violating IU stating that they have failed to respond to a previously issued enforcement action or that a violation of the pretreatment program requires their immediate attention for compliance. A response is required of the IU. The NOV may include specific corrective actions required of an IU, as well as a statement that additional enforcement actions may be pursued if corrective actions are not accomplished as scheduled. NOV's may inform the IU that Administrative Fines are pending or have been levied against them. NOV's may be sent via certified mail with return receipt requested and may serve as proof that the IU received the NOV in the event that more formal enforcement proceedings become necessary. A copy of the NOV and the return receipt may be maintained in the IUs permanent file.
- D. **Administrative Order** – The Administrative Order (AO) is an official written enforcement document from the TCWD directing the noncompliant IU to undertake or to cease specific activities required to bring the IU into compliance as determined by the TCWD. The terms and conditions of the AO are not negotiable. The circumstances of an IU noncompliance may dictate which additional theme the AO may take to achieve the earliest possible return to compliance. The AO may be sent via certified mail with return receipt requested. A copy of the AO and the return receipt may be maintained in the IUs permanent file. The AO may include Administrative Fines and may include, but are not limited to, the following:
  - 1. **Probation Order (PO)** – The PO directs the violating IU to achieve compliance by a date specified in the order. The PO is usually issued when an IU is in violation of the pretreatment ordinance, or the terms, conditions and limitations of its WDP or other enforcement action, or has not made payment of all amounts owed to the TCWD for user charges, noncompliance fees or any other fees, charges or fines. Additional administrative fines may also be assessed in the conditions of the PO.
  - 2. **Show Cause Order (SCO)** – The SCO directs the noncompliant IU to appear at a formal meeting, usually at a TCWD location, to explain its noncompliance, and to show cause why more severe enforcement actions against the IU should not go forward. This action, however, is not a prerequisite to taking other or more severe enforcement actions. Administrative fines may also be assessed in the conditions of the SCO.
  - 3. **Cease and Desist Order (CDO)** – The CDO directs the noncompliant IU to cease all process discharges immediately. A CDO may be issued in situations where a particular discharge could cause interference or pass through, or threaten human health or the environment. The order may be issued immediately upon discovery of the problem or following a hearing. In an emergency, a CDO may be issued by telephone, however, such an order may be followed by a written CDO served on the IU, either in person or by certified mail with return receipt requested. If necessary, the TCWD may order immediate cessation of any discharge to sewerage facilities, regardless of the IU compliance status. If an IU fails to comply with the CDO, the TCWD may take independent action to halt the discharge, such as terminating the service by plugging the IU's connection to sewerage facilities.



- E. Administrative Complaint – The administrative complaint is the process by which monetary fines or penalties are assessed by the TCWD for violations of the pretreatment program. These fines or penalties are assessed at the discretion of the TCWD and the amount of the fines or penalties may be determined on a case by case basis. These fines or penalties do not require court intervention unless the IU contests the action or refuses to pay the fine or penalty. Fines or penalties are punitive in nature and are not related to a specific cost born by the TCWD. Instead, fines or penalties are to recapture the full or partial economic benefit of an IU's noncompliance, and to deter future violations. Fines or penalties may be assessed as a condition of any enforcement action taken by the TCWD against any IU for any reason.
- F. Permit Suspension or Revocation – Suspension or revocation of an IU's WD permit is an enforcement tool that may be used when attempts to bring an IU into compliance do not succeed, and that more severe measures, such as civil or criminal action or termination of service seem imminent. Without a valid WD permit, the IU cannot legally discharge their wastewaters to sewerage facilities. If an IU continues to discharge without a WD permit, grounds then exist to take more stringent enforcement action. Additionally, once compliance can be assured, the IU may reapply for a WD permit, a process that may require the payment of fees and/or baseline sampling and monitoring.
- G. Termination of Service – Termination of service is the revocation of an IU's privilege to discharge any and all wastewaters to sewerage facilities. Termination may be accomplished by physically severing or plugging an IU's connection to sewerage facilities, by using an AO compelling the IU to cease all discharges, or by court ruling. Termination of service may require the IU to halt operation and may force closure. Accordingly, the TCWD should carefully consider all legal and operational implications of service termination prior to using this enforcement response.
- H. Emergency Suspension – The emergency suspension of an IU's sewerage facility service is deemed necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, cause interference to the sewerage facilities, or cause the TCWD to violate any state or federal law or regulation. Suspension of service may be accomplished by physically severing or plugging an IU's connection to any sewerage facility. An emergency suspension order is final and the IU has no right of appeal.
- I. Injunction – This is the formal process of filing a petition with the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the IU from continuing a discharge that is in violation of the pretreatment ordinance, federal, state or local law.
- J. Civil Action – Civil litigation is the process of filing lawsuits against an IU to secure court ordered action to correct violations and secure penalties for violations including the recovery of costs to the TCWD relative to the noncompliance. Civil action is normally taken when the corrective action required is costly and complex, the penalty to be assessed exceeds that which the TCWD can assess administratively or when the IU is considered recalcitrant or unwilling to cooperate. Civil litigation may also include enforcement measures that require involvement or approval of the courts, such as injunctive relief and settlement agreements. Civil litigation requires the cooperation of the TCWD's legal counsel and may result in court trials of an IU and assessment of penalties. Civil litigation however, unlike criminal prosecution, does not require proof of intent or negligence for the TCWD to prevail.
- K. Criminal Action – Criminal prosecution is the formal process of charging individuals and/or organizations with violations of ordinance that are punishable, upon conviction, by fines and/or imprisonment. Section 309(c) of the Clean Water Act authorizes the Federal Government to seek criminal punishment for any person who willfully or negligently violates pretreatment standards, among other standards, or for any person who knowingly makes false statements regarding any report, application, record, or other document required by the general pretreatment regulations. There are two elements required for criminal conviction; (1) an act is in violation of the law; and (2) criminal intent. Acts which might themselves be characterized as "criminal" may not result in prosecution if the prosecutor cannot prove intent or criminal negligence. In other words, the IU either must have intended to break the law or was so indifferent to the nature and implications of its act, that it could be deemed criminally negligent. Unless a prosecutor can prove both of these elements, criminal prosecution is not a viable option.
- L. Supplemental Responses – Article 9 of the TCWD pretreatment ordinance allows the TCWD to implement enforcement measures in addition to or in lieu of those described above as long as the measures are provided for by local, state or federal law. 40 CFR 403.8(f)(2)(vii) requires the TCWD to annually publish a list of IUs in significant noncompliance. Specific legal authority to use this supplemental response measure is set forth in Section 922 of the TCWD's pretreatment ordinance.

## **7. Enforcement Response Guide (ERG)**

The ERG is the centerpiece of the TCWD's ERP. The guide itself is a matrix which describes violations and indicates a range of appropriate enforcement options based on the nature and severity of a violation and other relevant factors. The ERG is designed to promote consistent and timely use of enforcement remedies for a variety of noncompliance scenarios. The ERG, divided into four general noncompliance categories, is included as "Appendix A"

### **A. ERG Application**

When using the ERG to determine the appropriate enforcement response for a particular noncompliance event you will notice that for many violations there are several acceptable response options. There are a number of factors to consider when selecting a response from these options, and in this way the ERG allows for some flexibility in its application. Some factors that require consideration are:

- o Good faith of the IU.
- o Compliance history of the IU.
- o Previous success of enforcement actions taken against the particular IU (e.g., if NON's have not succeeded in returning the IU to compliance, an AO may be a more appropriate response).
- o The IUs violation's effect on the receiving waters.
- o The IUs violation's effect on sewerage facilities.

Since the responses designated in the ERG are all considered appropriate, the TCWD must weigh each of the above factors in deciding whether to use a more or less stringent response.

Additionally, there may be violations and/or noncompliance scenarios that are not reflected in the ERG. For these instances, the general intent of the ERG should be evaluated and the enforcement response should be implemented consistent with those which would be applied to violations similar in magnitude.

The primary objectives in developing an ERG are to ensure that violators return to compliance as quickly as possible, to penalize noncompliant IUs, to deter future noncompliance and to recover any additional expenses incurred by the TCWD relative to an instance of noncompliance.

### **B. Response Time Frames**

The ERG is designed to promote a consistent methodology of enforcement for all IUs, in the sense that similar violations require similar enforcement responses. To promote consistent application of the ERG a time frame for enforcement is established below:

1. All noncompliance events may be identified and documented within fifteen (15) working days of receiving compliance information (e.g. lab results, self monitoring data, inspections, etc).
2. Initial enforcement responses may occur within thirty (30) working days of noncompliance detection.
3. Follow up actions for noncompliance may be taken within sixty (60) working days of the initial enforcement response. For all continuing noncompliance events, the response may include a compliance schedule.
4. Noncompliance which threaten health, property or environmental quality are considered emergencies and may receive an immediate response as required.
5. All noncompliance meeting the criteria for significant noncompliance may be addressed with an enforcement action within forty-five (45) working days of the identification of significant noncompliance.

### **C. Enforcement Personnel Responsibilities**

A variety of individuals contribute to the TCWD's pretreatment program and activities related to enforcement. The authorized personnel of the TCWD who conducts the pretreatment program may review and sign all enforcement action documents prior to them being issued to the IU. General supervision of the pretreatment program is provided by the TCWD General Manager. Enforcement documents and correspondence may also be reviewed by the General Manager. The pretreatment program staff is responsible for conducting the day to day implementation of the

pretreatment program. The pretreatment staff will generate the majority of the written correspondence and enforcement documentation for management to review. Informal communications between TCWD and the IU is also the responsibility of the pretreatment staff. Accurate and complete records of enforcement actions and related compliance monitoring are maintained in individual IU files by the TCWD pretreatment staff. Other TCWD staff, including treatment plant operators, lab technicians, collection personnel, and contract laboratory personnel may provide assistance to the TCWD pretreatment staff as requested to complete the required sampling and analysis associated with enforcement activities.

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## OUTLINE FOR THE DETERMINATION OF NONCOMPLIANCE

1. Review of reports required of the IU by the TCWD.
  - a. Failure to report.
  - b. Failure to report by the required date.
  - c. Failure to report all of the required information.
  - d. Failure to monitor all of the required parameters.
  - e. Failure to meet discharge limitations or prohibitions.
  - f. Failure to state reasons for noncompliance.
  - g. Failure to state when compliance will be achieved.
  - h. Failure to be signed by the authorized representative.
2. Review through the inspection program.
  - a. Failure to admit authorized Control Authority personnel.
  - b. Failure to admit authorized Control Authority personnel in a timely manner.
  - c. Failure to adequately operate the IU pretreatment system:
    - i) Inadequately manned.
    - ii) Inadequately or incorrectly operated.
  - d. Failure to sample/monitor regulated discharges.
  - e. Failure to sample/monitor according to permitted procedures:
    - i) Sample/monitor in inappropriate location(s).
    - ii) Sample/monitor at inappropriate times.
    - iii) Sample/monitor using unapproved methods.
    - iv) Failure to use approved analytical procedures.
    - v) Failure to use approved laboratories.
  - f. Failure to report all sampling/monitoring results obtained by approved methods.
  - g. Inappropriate procedures utilized for handling chemicals or hazardous wastes.
  - h. Inappropriate notification to the TCWD of a spill.
  - i. Failure to retain proper documentation on site.
  - j. Failure to provide the proper documents to TCWD personnel.
  - k. Failure to discharge by approved methods:
    - i) Discharging to sewerage facilities by way of unapproved/unpermitted location.
    - ii) Discharge of unapproved wastes outside of sewerage facilities.
    - iii) Bypass of IUs pretreatment system.
    - iv) Discharge during unapproved discharge schedule.

**OUTLINE FOR THE DETERMINATION OF NONCOMPLIANCE**  
**(cont)**

3. Review of schedule activities of the IU.
  - a. Failure to submit a Baseline Monitoring Report (BMR).
  - b. Failure to submit any required reports.
  - c. Failure to submit compliance schedule(s).
  - d. Failure to meet scheduled deadlines.
  - e. Failure to sample, monitor, submit information, or any other activity required by the TCWD, the pretreatment ordinance, the WD permit, or any other pretreatment standards or requirements.
4. Evaluating and examining the results of TCWD sampling.
  - a. Failure to meet local limits.
  - b. Failure to meet WD permit limits.
  - c. Failure to meet Federal Standards or categorical limits.
5. Evaluating and examining sewerage facility upsets or interferences.
  - a. Failure to report spill.
  - b. Discharge of unapproved material.
6. Information from other agencies, sewerage facility workers, IU workers, and citizens.
7. Other action(s) in violation of the pretreatment ordinance.
  - a. Failure to appear to a show cause hearing or informal meeting in lieu of show cause hearing.
  - b. Failure to comply with an AO issued by the TCWD.

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**APPENDIX A**  
**ENFORCEMENT RESPONSE GUIDE - SAMPLING, MONITORING AND REPORTING VIOLATIONS**

<u><b>NONCOMPLIANCE</b></u>	<u><b>CIRCUMSTANCES</b></u>	<u><b>ENFORCEMENT RESPONSE</b></u>
Failure to sample, monitor or report (routine reports, BMR's, etc...)	Isolated or infrequent	WNON or NON NOV Fines
Failure to provide reports for compliance schedules or self monitoring; failure to resubmit incomplete, inaccurate or improper reports returned to IU by TCWD	Report not submitted or properly resubmitted for 45 days or more after due date	NON NOV AO Fines per day until report submitted
Failure to sample, monitor, report or notify	IU does not respond to letters, AO or other requirements	AO Show Cause Fines Revoke Permit/Terminate Service
Failure to notify of applicable pretreatment standard violation as a result of self monitoring	Isolated or infrequent - no known sewerage facility or environmental effects	WNON or NON NOV Fines
Failure to notify of slug discharge	Isolated or infrequent - no known sewerage facility or environmental effects	WNON or NON Fines
Failure to notify of slug discharge	Known interference or pass-through or threat to human safety or the environment	NOV AO Fines Civil Action to recover Damages
Sampling, monitoring or reporting deficiencies (missing info, late reports, etc...)	Isolated or infrequent	NON Fines
Sampling, monitoring or reporting deficiencies (missing info, late reports, etc...)	Continued or remain uncorrected.	NOV AO Fines

## ENFORCEMENT RESPONSE GUIDE - COMPLIANCE SCHEDULE/PERMIT CONDITION VIOLATIONS

<u>NONCOMPLIANCE</u>	<u>CIRCUMSTANCES</u>	<u>ENFORCEMENT RESPONSE</u>
Reporting false information	Any instance	AO Fines Criminal Action if evidence of intent or willful deception exists
Missed interim milestone date	Shall not cause late final or other interim dates to be missed	NON
Missed interim milestone date	Shall result in other missed interim or final date - violation for good or valid cause	NOV Fines
Missed interim milestone date	Shall result in other missed interim or final date - no good cause or valid cause	AO Fines
Missed final compliance date	45 days or more outstanding – failure or refusal to comply without good or valid cause	AO Fines Revoke Permit Terminate Service Civil/Criminal Action
Failure to install monitoring facilities or pretreatment equipment as required	45 days or more past required installation date	AO Fines
Report slug discharge or accidental spill	Isolated without known interference, pass-through or threat to human safety or the environment.	WNON or NON
Report slug discharge or accidental spill.	Isolated with known interference, pass-through or threat to human safety or the Environment	NOV Fines Civil Action
Report slug discharge or accidental spill	Recurring with known interference, pass-through or with threat to human safety or the environment	AO Fines/Civil Action Revoke Permit
Discharge without a permit or approval	IU unaware of requirement - no known interference, pass through or threat to human safety or the environment.	WNON or NON with permit application

## ENFORCEMENT RESPONSE GUIDE - DISCHARGE STANDARD VIOLATIONS

<u>NONCOMPLIANCE</u>	<u>CIRCUMSTANCES</u>	<u>ENFORCEMENT RESPONSE</u>
Exceeding final effluent limits Categorical, local, prohibited	Infrequent or isolated violation	WNON or NON NOV Fines
Exceeding final effluent limits	Recurring violation or violation causing interference, pass through or threat to human safety or the environment.	NOV AO Fines/Civil Action
Exceeding final effluent limits	Violation(s) which place IU in Significant Noncompliance	NON NOV AO Public Notification Fines or Civil Action
Discharge without a permit or approval	Continuing with known environmental or sewerage facility damage	Terminate Service Criminal Action

## VIOLATIONS DETECTED THROUGH INSPECTIONS OR FIELD INVESTIGATIONS

<u>NONCOMPLIANCE</u>	<u>CIRCUMSTANCES</u>	<u>ENFORCEMENT RESPONSE</u>
Permit condition violation	No evidence of negligence or intent	WNON or NON
Permit condition violation	Evidence of negligence or intent	NOV Fines Civil/Criminal Action
Discharge without a permit or approval	One time with known interference, pass through or environmental damage	NOV Fines AO Terminate Service Civil/Criminal Action
Refusal of access to TCWD personnel	Failure or refusal to comply with the right of access of TCWD personnel to the IU site.	NOV AO Fines Revoke Permit Terminate Service Inspection Warrant Criminal Action